



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200225085

Date: August 1, 2002

Comments Due: August 31, 2002

In reply, please refer to the Public Notice Number

Subject: Department of the Army Permit Application. The District Engineer, Sacramento District, Corps of Engineers (Corps) is evaluating a permit application from Tonopalo, LLC. The purpose of this notice is to inform interested parties of a proposed work activity and solicit comments. Participation is encouraged so that the District Engineer is better able to complete a more thorough public interest review. Comments assist the Corps to make a reasonable decision based on public interest factors. The District Engineer is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic system's functional values, cumulative and secondary effects, and endangered species. The Corps requires that applicants consider and use all reasonable and practicable measures to avoid and minimize impacts. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The proposed project is described below and shown on the attached drawings. This notice may also be viewed at the Corps web site:
<http://www.spk.usace.army.mil/cespk-co/regulatory/PNs/>.

APPLICANT: Tonopalo, LLC
P.O. Box 47
6731 N. Lake Blvd
Tahoe Vista, CA 96148

LOCATION: The project site is located on Lake Tahoe, at 6724 & 6750 North Lake Tahoe Blvd., Placer County, CA, APN 117-072-08/09.

PURPOSE: The purpose of the proposed is to construct a pier and buoy field.

PROJECT DESCRIPTION: The applicant is proposing to construct a 300 foot long and a minimum of 8 feet wide, with the last 50 feet being 16 feet wide pier. Twelve 12" diameter steel pilings will be driven to anchor the pier. The pier will extend 93 feet beyond the pierhead line to elevation 6223. The applicant is also proposing to retain 3 existing buoys, and install 9 new buoys. The proposed buoys will be located in a 50 foot grid pattern with the farthest buoys at approximately 440 feet from the highwater line. The total area of Lake Tahoe waters that would be affected by the proposed project is 2,800 square feet.

The applicant believes there is a need for the pier to extend beyond the pierhead line because of the flat nature of the bathymetry at the site. The applicant stated that other water front locations are not available to the owner.

ADDITIONAL INFORMATION: Additional information may be obtained from Kim Schlagel at 775-588-1090 in Lake Tahoe or by calling Shelly Carter, Project Manager, Corps of Engineers at 775-784-5304 in Reno.

Authority: The proposal is being evaluated under Section 10 of the Rivers and Harbors Act.

Public Hearing: Before the expiration date of this notice, anyone may request, in writing, that a public hearing be held to consider this application. Results shall specifically state the reason(s) for holding a public hearing. If the District Engineer determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location.

Endangered Species: Preliminary review, under the Endangered Species Act of 1973 (87 Stat. 844), indicates that the described activity will not affect listed endangered species or their critical habitat. Formal consultation under Section 7 of the Act is not required for the described activity.

Cultural Resources: In accordance with Section 106 of the National Historic Preservation Act, initial review of cultural resources information available indicate that no historic properties would be affected by the proposed activity. This notice was sent to the State Historic Preservation Office.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described water. These state requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable statutory authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements which must be satisfied before the work is accomplished.

Submitting Comments: Comments must be received on or before the expiration date (located above) to be considered in subsequent actions on this application. Anyone whose interests may be affected by the proposed work is invited to submit favorable or unfavorable written comments to:

U.S. Army Corps of Engineers
Nevada Office (Carter)
300 Booth Street, Room 2103
Reno, Nevada 89509-1361

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawings